

Remarks

Claims 1-24 are pending. New Claims 21-24 are added in this Response.

Objections to the Drawings

The Specification has been amended to correct the informalities noted in paragraphs 1 and 2 of the Office Action.

Objections to the Claims

Claim 3 has been amended to correct an obvious mistake – "the named" should have been "the named sequence."

Double Patenting

A Terminal Disclaimer accompanies this Response to avoid a double patenting rejection. To the extent that the Examiner's comments at page 3 of the Office Action suggest the two applications claim identical subject matter, that suggestion is not correct. For example, Claim 1 in 09/620,957 refers to an indicator indicating that the form is a fixed form while Claim 1 in the instant application does not. Similarly, Claim 1 in the instant application refers to an indicator indicating permission is granted to print each instance of the form from the same video data while Claim 1 in 09/620,957 does not.

Rejections Under Section 112

Claims 3 and 4 have been amended to address the concern raised by the Examiner in paragraph 5 of the Office Action. The claim language is now consistent with the descriptive terms used in the Specification.

Rejections Based On Gauthier

Claims 1-20 stand rejected as being anticipated by or obvious over Gauthier (6243172).

Claims 1, 8 and 14 each requires similar limitations related to processing images that occur more than once in a document. Claim 1 recites a printer that includes a means for responding to an indicator indicating permission is granted to print each instance of a form from the same video data by processing and printing the named sequence according to a first printing algorithm. Claim 8 recites a method that includes responding to a parameter indicating permission is granted to print each instance of a form from the same video data. Claim 14 recites a computer that includes a means for

generating a plurality of commands having a named sequence describing a form and indicating permission is granted to convert the named sequence once into video data and to then print each instance of the form from the video data.

"Form" is specially defined in the Specification as an image that occurs more than once in a document. Specification, page 1, lines 17-20. "Named sequence" is also specially defined in the Specification as PDL commands that describe a form. Specification, page 1, lines 24-25.

Gauthier does not teach a "form" as that term is defined in the instant application. Nothing in Gauthier suggests his template or any of the variable data merged into a template is a form. Gauthier does not teach or suggest any techniques for specially processing images that occur more than once in a document. It necessarily follows, therefore, that Gauthier does not teach responding to or generating an indicator indicating permission is granted to print each instance of a form. The passages in Gauthier cited by the Examiner say nothing about forms or processing PDL commands that describe a form, as those terms are used in Claims 1, 8 and 14.

Gauthier also does not teach the requirement in Claims 1, 8 and 14 of responding to or generating an indicator indicating permission is granted to print each instance of the form from the same video data. The Examiner's assertion that "variable data" in Gauthier somehow relates to printing a form from the same video data is not correct. Gauthier's variable data reflects text or graphics inserted into a template. There is nothing in Gauthier that suggests this or any other data occurs more than once in a document or that it is printed over and over from the same video data.

For these reasons, Claims 1, 8 and 14 are felt to distinguish patentably over Gauthier.

Claims 2-7, 9-13 and 15-20 are also felt to distinguish patentably over Gauthier due to their dependence on Claims 1, 8 and 14, respectively.

New Claims 22-24

New Claims 22-24 are added to further distinguish Gauthier.

New Claim 22 recites a printer with a control unit configured to respond to PDL print commands that include a named sequence describing a form and an indicator under four different scenarios: (1) if the indicator indicates permission is granted to print

each instance of the form from the same video data, then processing the named sequence according to a first printing algorithm; (2) if the indicator indicates each instance of the form is to be printed from new video data, then processing the named sequence according to a second printing algorithm; (3) if the indicator indicates the form is a fixed form, then processing the named sequence according to the second algorithm; or (4) if the indicator indicates the form is a background image, then processing the named sequence according to a third algorithm.

New Claim 23 recites programming configured to generate PDL print commands including a named sequence describing a form and an indicator indicating (1) permission is granted to print each instance of the form from the same video data, (2) each instance of the form is to be printed from new video data, (3) the form is a fixed form, or (4) the form is a background image.


New Claim 24 recites printer firmware including programming for responding to PDL print commands that include a named sequence describing a form and an indicator by (1) if the indicator indicates permission is granted to print each instance of the form from the same video data, then processing the named sequence according to a first printing algorithm, (2) if the indicator indicates each instance of the form is to be printed from new video data, then processing the named sequence according to a second printing algorithm, (3) if the indicator indicates the form is a fixed form, then processing the named sequence according to the second algorithm, or (4) if the indicator indicates the form is a background image, then processing the named sequence according to a third algorithm.

There is nothing in Gauthier that even comes close to suggesting the four different indications/processing scenarios for a form as recited in the new Claims 22-24.

All pending claims are felt to be in condition for allowance. The foregoing is believed to be a complete response to the outstanding Office Action.

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